Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guåhan 96932 Phone: 649-5263 Ext. 400 Fax: 649-5383

June 4, 2018

Eddie Baza Calvo
Governor

Ray Tenorio
Lieutenant Governor

Commission Members

G. Pika Fejeran
Chairwoman

Joseph I. Cruz
Vice-Chairman

Amanda L.G. Santos
Commissioner

Austin J. Duenas
Commissioner

Shawntel L. Techaira
Commissioner

Michael J.B. Borja
Administrative Director

Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guahån
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

GLA 34-18-1955
Speaker Benjamin J.F. Cruz

JUN 05 2018
Time: 2:22 [ ] AM [/] PM File No.
Received By

Dear Mr. Speaker:

Transmitted herewith is the Chamorro Land Trust Commission Resolution No. 2018-06, **"Declaration and Position on Guam Racing Federation License Agreement and Pursuing a New lease Agreement for Lot Number 7161-R1, Yigo, Guam,"** and Resolution No. 2018-07, **"Declaration of a Right of Enrty for *Inadahen I Lina'la Kotturan Chamoru, Inc.*,"** which was approved at its regularly scheduled board meeting on May 3, 2018 and May 17, 2018.

Senseramente,

Michael J.B. Borja

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CHAMORRO LAND TRUST COMMISSION
Kumision Inangokkon Tano' Chamoru
RESOLUTION NO. 2018-06

Declaration and Position on
Guam Racing Federation License Agreement and
Pursuing a New Lease Agreement
for Lot Number 7161-R1, Yigo, Guam

WHEREAS, the Chamorro Land Trust Commission (CLTC), engaged in a License Agreement, dated June 1, 1998, with the Guam Racing Federation (GRF), for Lot Number 7161-R1, Municipality of Yigo, Guam, consisting of approximately 1,019,844 square meters (252 acres) as authorized by Public Law 24-141, and

WHEREAS, the GRF License Agreement will expire on May 31, 2018, with no remaining options to extend, and

WHEREAS, the Chamorro Land Trust Commission recognizes the service GRF provides to the community by providing a regulated raceway course, and

WHEREAS, the CLTC recognizes the potential for adverse impact to the property should it be allowed to be unused and unsecured for any period of time until a new lease agreement could be promulgated; and

WHEREAS, the CLTC recognizes the need to pursue a new lease agreement on two separate tracks via legislation to renew the contract and to initiate a new lease in accordance with Title 21, Guam Code Annotated (GCA), Chapter 75, Section 75122, Commercial Leases and Licenses, and

WHEREAS, the legal counsel conveyed at the May 3, 2018, the Chamorro Land Trust Commission board of commissioners at their regularly scheduled meeting that 18 GCA, §51105, Renewal, Continued Possession, the parties are presumed to have renewed the hiring on the same terms and for the same time, not exceeding one month when the rent is payable monthly, not in any case one year, and

WHEREAS, on May 3, 2018, the Chamorro Land Trust Commission board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by motion to authorize a month to month extension of the existing Guam Racing Federation License Agreement for its existing terms, not to exceed one year, and

WHEREAS, on May 3, 2018, the Chamorro Land Trust Commission board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by motion to authorize the Administrative Director to proceed in accordance with 21 GCA, §75122 to declare and designate Lot Number 7161-R1, Yigo, Guam, for commercial use, and

WHEREAS, on May 3, 2018, the Chamorro Land Trust Commission board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by motion to authorize the Administrative Director to seek legislation to award a new lease agreement to Guam Racing Federation under new terms and conditions.

NOW THEREFORE BE IT RESOLVED,

1. The Chamorro Land Trust Commission Board of Commissioners authorizes a month to month extension of the existing Guam Racing Federation License Agreement for its existing terms, not to exceed one year, and

2. The Chamorro Land Trust Commission Board of Commissioners authorizes the Administrative Director to proceed in accordance with 21 GCA, §75122 to declare and designate Lot Number 7161-R1, Yigo, Guam, for commercial use, and

3. The Chamorro Land Trust Commission Board of Commissioners authorizes the Administrative Director to proceed to seek legislation to award a new lease agreement to Guam Racing Federation under new terms and conditions, and

4. The Chamorro Land Trust Commission Board of Commissioners transmits this Resolution to *I Liheslaturan Guahan.*

CHAMORRO LAND TRUST COMMISSION RESOLUTION NO. 2018-06
IS DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION
BOARD OF COMMISSIONERS THIS 3rd DAY OF MAY 2018

G. PIKA FEJERAN, Chairwoman
Chamorro Land Trust Commission

Date: 29 May 2018

MICHAEL J.B. BORJA, Administrative Director
Chamorro Land Trust Commission

Date: 5/29/18

CHAMORRO LAND TRUST COMMISSION
Kumision Inangokkon Tano' Chamoru
RESOLUTION NO. 2018-07

Declaration of a Right of Entry
for Inadahen I Lina'la Kotturan Chamoru, Inc.

WHEREAS, the Chamorro Land Trust Commission ***(hereafter CLTC)***, in accordance with Title 21, Section 75105, previously granted a license to Inadahen I Lina'la Kotturan Chamoru, Inc. dated December 1, 2006, for use of **Lot 5173-1-R2NEW-4, Municipality of Tamuning**, Ypao Point, containing an area of 8 acres for the purpose of managing a Chamorro Cultural Center with related retail and instructional facilities. The license agreement expired in 2011 because Licensee failed to exercise its option to extend; and

WHEREAS, the CLTC adopted Resolution No. 2016-17 to grant Inadahen I Lina'la Kotturan Chamoru, Inc. a "Right of Entry" to Lot 5173-1-R2NEW-4, Municipality of Tamuning, until January 31, 2017; and

WHEREAS, the Guam Legislature enacted Public Law 33-203 on December 15, 2016, to designate Lot 5173-1-R2NEW-4, Municipality of Tamuning, as a Chamorro Cultural Center; and

WHEREAS, on January 23, 2017, Inadahen I Lina'la Kotturan Chamoru, Inc. submitted to the CLTC board of commissioners its request to enter an "Agreement to Reserve" to lease Lot 5173-1-R2NEW-4, Municipality of Tamuning, as a Chamorro Cultural Center, in accordance with Title 16 Guam Annotated Rules and Regulations, Chapter 1, Article 5; and

WHEREAS, at the February 2, 2017, CLTC board of commissioners meeting, the commissioners approved, by motion, Inadahen I Lina'la Kotturan Chamoru, Inc.'s request to enter an "Agreement to Reserve" to lease Lot 5173-1-R2NEW-4, Municipality of Tamuning, as a Chamorro Cultural Center; to include granting a "Right of Entry" for one year or until a lease is approved, whichever comes first; and

WHEREAS, at the February 2, 2017, CLTC board of commissioners meeting, the commissioners require Inadahen I Lina'la Kotturan Chamoru, Inc. to suspend all public activity on the premises until they obtain liability insurance as would be required in a lease since they are already occupying the facilities on the lot; and

WHEREAS, CLTC Resolution No. 2017-01 granting Inadahen I Lina'la Kotturan Chamoru a Right of Entry will expire on June 1, 2018; and

WHEREAS, at the May 17, 2018, CLTC board of commissioners approved Right of Entry for Inadahen I Lina'la Kotturan Chamoru, effective June 2, 2018 to December 1, 2018.

NOW THEREFORE BE IT RESOLVED,

1. The Chamorro Land Trust Commission approves Inadahen I Lina'la Kotturan Chamoru, Inc. Right of Entry onto Lot 5173-1-R2NEW-4, Municipality of Tamuning, as a Chamorro Cultural Center; and

2. The Chamorro Land Trust Commission authorizes the issuance of a "Right of Entry" to Inadahen I Lina'la Kotturan Chamoru, Inc., until December 1, 2018, or until a lease is executed, whichever is sooner, for Lot 5173-1-R2NEW-4, Municipality of Tamuning; and

Doc. No. 34GL-18-1955.

3. The Chamorro Land Trust Commission restricts the public use of Lot 5173-1-R2NEW-4, Municipality of Tamuning, as a Chamorro Cultural Center by Inadahen I Lina'la Kotturan Chamoru, Inc. until liability insurance is obtained and is similar to amount required in current cultural center leases; and

4. The Chamorro Land Trust Commission Board of Commissioners transmits this Resolution to *I Liheslaturan Guahan*.

CHAMORRO LAND TRUST COMMISSION RESOLUTION NO. 2018-07
IS DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION
BOARD OF COMMISSIONERS THIS 17th DAY OF MAY 2018.

G. PIKA FEJERAN, Chairwoman
Chamorro Land Trust Commission

Date: 29 May 2018

MICHAEL J.B. BORJA, Administrative Director
Chamorro Land Trust Commission

Date: 5/29/18